



CITY COUNCIL AGENDA
REVISED AGENDA ADDED PUBLIC COMMUNICATIONS AND REVISED AGENDA ITEM 9
MONDAY, NOVEMBER 6, 2023
REVISED ON NOVEMBER 2, 2023

CLOSED SESSION – 5:00 P.M.
REGULAR MEETING - 6:00 P.M.

CITY COUNCIL CHAMBERS – CITY HALL - 501 POLI STREET, VENTURA, CA 93001

JOE SCHROEDER, MAYOR

Councilmembers:

DISTRICT 1 – LIZ CAMPOS
DISTRICT 2 – DOUG HALTER
DISTRICT 3 – MIKE JOHNSON

DISTRICT 6 – JIM DURAN
DISTRICT 5 – BILL MCREYNOLDS
DISTRICT 4 – DR. JEANNETTE SÁNCHEZ-
PALACIOS, DEPUTY MAYOR

Bill Ayub
City Manager

Andrew Heglund
City Attorney

Michael B. MacDonald
City Clerk

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION.

Live broadcasts of City Council meetings are available on Cable TV (Channel 15) and via internet accessible video stream at <https://www.cityofventura.ca.gov/718/Videos> or on YouTube at <https://www.YouTube.com/cityofventura/live>.

To access the meeting remotely: Join the WebEx meeting live at: <https://cityofventura.webex.com/cityofventura/j.php?MTID=m964904bb04fbd562a0ee51e64c11b007>

To request to speak on an item, use the chat function to notify the City Clerk by including the Item Agenda Number in your comment. The City Clerk will announce public speakers and promote them to a panelist, which will allow the use of camera and microphone. To join with audio only, call (213) 306-3065 and use access code: 2551 580 0041

Please be mindful that the meeting will be recorded, and all rules of procedure and decorum apply for in-person attendees and those participating virtually.

To submit written comments (up to 1,000 characters) for the City Council's consideration and inclusion in the public records, email cityclerk@cityofventura.ca.gov by 4:00 p.m. on the meeting date, or by using the public comment form at www.cityofventura.ca.gov/publicinput. Please include the Agenda Item Number in the subject

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Michael B. MacDonald, City Clerk, (805) 654-4787. The City Council may take action related to any subject listed on the Agenda. Meetings will adjourn at 11:00 p.m. Any items outstanding at that time will be deferred until the next regularly scheduled meeting.

November 6, 2023

Ventura City Council Agenda
www.cityofventura.ca.gov

CALL TO ORDER – CLOSED SESSION – 5:00 p.m.

ROLL CALL

PUBLIC COMMUNICATIONS: *Public comments on Closed Session Items only.*

CLOSED SESSION: *Teleconference/Video Conference Meeting. The Public may not participate in the Closed Session, other than for Public Comments.*

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Claimant: Mark Knackstedt

Date of Injury: 12/3/2021

WCAB Case Number(s): 22006498

Authority: Government Code Section 54956.9(d)(1)

ADJOURNMENT: *Adjourn to Regular Meeting.*

CALL TO ORDER – REGULAR SESSION – 6:00 p.m.: *The regular meetings of the San Buenaventura (Ventura) City Council also serve as regular meetings of the Successor Agency and Public Facilities Financing Authority when Successor Agency and Public Facilities Financing Authority items are listed on the agenda.*

ROLL CALL

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

- Native American Heritage Month

CLOSED SESSION REPORT

CITY COUNCIL COMMUNICATIONS: *Per Government Code Section 54954.2(a)(2), the Council Communications section of the agenda provides City Council the opportunity to ask a question for clarification, make a brief announcement, or make a brief report on their own activities.*

CITY MANAGER COMMUNICATIONS

PUBLIC COMMUNICATIONS: *In compliance with Government Code Section 54954.3, Public Communications is that portion of Council meetings set aside for members of the public to address City Council on items of any City business other than scheduled agenda items. Comments are limited to items within the subject matter jurisdiction of the City and are limited to no more than three (3) minutes. Per the City Council Protocols, speakers may not cede their time to another speaker. If there are more than ten (10) Public Communications speakers, each speaker's time shall be reduced from three (3) minutes so that all speakers have an equal time to speak. City Council cannot act on any items not on the agenda.*

CONSENT ITEMS: *Matters appearing on the Consent Items are expected to be non-controversial and will be acted upon by City Council at one time without discussion unless a Councilmember, City Staff, or a member of the public requests an opportunity to address an item. Items removed from the Consent Calendar will be discussed at the beginning of the Formal Items. Approval by the City Council of Consent Items means the recommendation of Staff is approved along with the terms and conditions described in the Administrative Report.*

1. **Move all Resolutions and Ordinances presented tonight be deemed read by title only and all further reading be waived.**
2. **[Legal Services Agreement Amendment with Best, Best & Krieger for the Oxnard Plain Groundwater Litigation Services](#)**

Staff: Andy Heglund, City Attorney

RECOMMENDATION

Authorize the City Attorney to enter into an amended legal services agreement with the law firm of Best, Best and Krieger, LLP in an amount not to exceed an additional \$150,000 to continue representation of the City in the litigation matter of OPV Coalition, et al. v. Fox Canyon Groundwater Management Agency, et al. (Super. Ct. Santa Barbara County, 2018, No. VENCI00555357).

3. **[Professional Services Agreement 2022-060 First Amendment with Code Publishing, LLC for Municipal Code Codification, Review, and Hosting Services](#)**

Staff: Michael MacDonald, City Clerk

RECOMMENDATION

Authorize the City Manager, or designee, to execute the First Amendment to the Professional Services Agreement 2022-060 with Code Publishing LLC, extending the scope of the agreement until December 2027 and adding \$80,000 for a new not to exceed amount of \$139,740 for the 5-year period from January 1, 2023 to December 31, 2027.

CONSENT ITEMS (CONTINUED)

4. [Resolution Setting the 2024 City Council Meeting Schedule](#)

Staff: Michael MacDonald, City Clerk

RECOMMENDATION

Adopt a Resolution setting the City Council 2024 meeting schedule.
Resolution titled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA SETTING A CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2024”

5. [Out-of-Class Pay Extension for Acting Community Development](#)

Staff: Danielle Keys, Human Resources Director

RECOMMENDATION

Authorize the extension of out-of-class pay for one employee filling in for the vacant Community Development Director position for the duration of the recruitment period anticipated to conclude on or before March 31, 2024.

6. [Increase Appropriations for Storm Damages Related to the California Severe Storm in January 2023](#)

Staff: Greg Morley, Chief Financial Officer

RECOMMENDATION

- a. Authorize an increase in appropriations of \$2,367,814 to support repair of damages that occurred during the January 2023 severe weather event using funds from the City’s General Fund Emergency Reserve.
- b. Authorize the Finance Department to make the necessary budget adjustments and transfers to facilitate the use of the General Fund Emergency Reserve funding.
- c. Approve the plan to replenish the General Fund Emergency Reserve.

CONSENT ITEMS (CONTINUED)

7. [Amend the Capital Improvement Program Workplan to Add Project 93115 – Fire Station 6 Sewer Line Replacement and approve the Job Order Contract with MTM Construction](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Amend the Fiscal Year 2024-2028 Capital Improvement Program Workplan to add Project 93115 – Fire Station 6 Sewer Line Replacement.
- b. Approve and authorize the City Manager, or designee, to execute a purchase order not to exceed \$406,398, and a \$37,000 contingency, to MTM Construction Inc. for the Fire Station 6 Sewer Line Replacement project per Job Order Contract number 2021-078.
- c. Authorize the Finance Department to increase CIP Appropriations in the Facilities Maintenance Fund (Fund 65) by \$443,398.
- d. Authorize the Finance Department to increase Fiscal Year 2024 budget appropriations in the Facilities Maintenance Fund (Fund 65) by \$443,398.

8. [Amendment to the Capital Improvement Program, and Executing Professional Services Agreement PW24-1126 for Project 91164 – Santa Paula Branch Line Rails with Trails Project](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Amend the Fiscal Year 2024-2028 Capital Improvement Program and add Santa Paula Branch Line Rails with Trails Project 91164.
- b. Approve and authorize the Public Works Director, or designee, to act as agent for the City to conduct all negotiations and execute and submit all documents, including, without limitation, agreements, amendments, and billing statements that may be necessary to accept the grant and complete the project.
- c. Approve and authorize the City Manager, or designee, to execute a Professional Services Agreement with Chen Ryan Associates, Inc. for the Santa Paula Branch Line Rails with Trails Project in the amount of \$4,205,324 with a contract completion date of June 30, 2025.

CONSENT ITEMS (CONTINUED)

- d. Authorize the City Manager, or designee, to execute future amendments to subject Agreement up to a total maximum contingency of \$210,266 for a total not to exceed Agreement amount of \$4,415,590 and a total time extension of 180 calendar days.

FORMAL ITEMS: *The public may comment on each item listed on the agenda for Formal Items as the item is taken up. Formal Items may be reordered at the discretion of the Chair. The public may speak up to three (3) minutes on each agenda item.*

9. [Memorandum of Agreement and Contract Services with KB Home for 2325 Vista Del Mar \(APN: 080-0-020-275\)](#)

Staff: Neda Zayer, Interim Community Development Director

RECOMMENDATION

- a. Approve and authorize the City Manager to execute a Memorandum of Agreement between the City and KB Home of Greater Los Angeles, Inc. for 2325 Vista Del Mar (APN: 080-0-020-275).
- b. Authorize the Interim Community Development Director to issue Work Order 2023-03 under Professional Services Agreement No. 2022-052 with Michael Baker International, Inc. to prepare a Circulation Study report for the project located at 2325 Vista Del Mar Drive in an amount not to exceed \$111,245, with the collection of a deposit of \$10,000 per the FY 2023-2024 Master Fee Schedule and \$16,687 in administrative staff fees, to be paid by KB Home.
- c. Authorize the Interim Community Development Director to issue Work Order 2023-02 under Professional Services Agreement No. 2022-052 with Michael Baker International, Inc. to prepare environmental documentation in compliance with CEQA requirements for the project located at 2325 Vista Del Mar Drive in an amount not to exceed \$277,025, with the collection of a deposit of \$20,000 per the FY 2023-2024 Master Fee Schedule and \$20,000 in administrative staff fees, to be paid by KB Home.
- d. Upon Receipt of Developer Deposits, authorize the Finance Department to increase appropriations for support of the consultant contracts.

FORMAL ITEMS (CONTINUED)

10. [Capital Improvement Program Update](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

Receive and file the Capital Improvement Program Update.

11. [Energy Service Agreements for Solar Services Response to Council](#)

Staff: Phillip Nelson, Public Works Director

RECOMMENDATION

- a. Receive and file responses to Council's questions from the July 24, 2023 Council meeting.
- b. Direct staff on the location of solar canopies at Community Park.

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ADJOURNMENT

Communications to the City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service to the City Clerk's Office at 501 Poli Street, Room 204, Ventura, CA 93001. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk Department for further information.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk's Office at (805) 658-4787 or the California Relay Service at (866) 735-2929. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

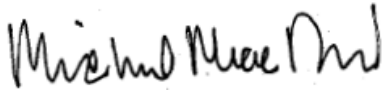
*Live Spanish interpretation will be available. No advanced request for interpretation services required.
La traducción al español estará disponible en vivo. No es necesario solicitar la traducción al español anticipadamente.*

Administrative Reports relating to this agenda are available on the City's website – <https://www.cityofventura.ca.gov/AgendaCenter>.

Resource Items for the Public:

- [City Council Protocols](#) which includes Rules of Decorum for the Public
- [City Council Goals](#)
- [Budget Principles](#)
- [City Charter](#)

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This agenda was posted on Thursday, November 2, 2023, at 2:00 p.m. in the City Clerk's Office, on the City Hall Public Notices Board and on the internet.



Michael B. MacDonald, CMC  
City Clerk